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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 841,032	04 24 2001	Peter A. Liken	TI-121US	5823

24314 7590 05 06 2003

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EXAMINER

DINH, TUAN T

ART UNIT	PAPER NUMBER
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2827

DATE MAILED: 05/06 2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/841,032

Applicant(s)

LIKEN ET AL.

Examiner

Tuan T Dinh

Art Unit

2827

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 13-16 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9-10, 13-16, 21-26 is/are rejected.
- 7) ☐ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The request filed on 01/09/03 for a Request Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/841,032 is acceptable and a RCE has been established. An action on the RCE follows.

Claim Objections

1. Claims 1 and 21 are objected to because of the following informalities:
Claims 1, line 15, and claim 21, line 19, change "can be" to --being--
Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1-4, 13-16, 21-22, and 24-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1 and 21, it is unclear. The phrase of "whereby the first...such that **the edge engagement member** and **the edge engagement member**...second edges" is not understood. The first adjustment being adjusted a support rack by a first distance or by a horizontal axis, and the first adjustment does not support to the edge engagement member at all.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 9-10, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chatel (U. S. Patent 5,506,751) in view of Sittig (submitted by applicant).

As to claims 5, and 9-10, Chatel discloses a circuit board (14) having first and second edges and a support rack as shown in figures 1-6 comprising:

a frame (column 5, line 9);

a board engagement platform (32-figure 2, column 5, lines 44-45) mounted with respect to the frame and engaging the first edge;

a board retention member (16, column 5, line 16) spaced from the engagement platform by a first distance; and

a first adjustment mechanism (12; 13, column 5, line 6) capable of adjusting the first distance co-acting with the frame and the retention member, and maintaining the first distance.

Chatel does not teach a second adjustment mechanism on the board retention member and engaging the second edge; and wherein the platform and the second adjustment mechanism exert compressive force on the board.

Sittig shows a card rack (column 2, line 9) disclosed in figures 1-3 having a second adjustment mechanism (22) on the retention member (12), the second adjustment mechanism being engaged the second edge, the platform and the second adjustment mechanism exert compressive force on a board.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a second adjustment mechanism on the retention member as taught by Sittig to employ the support rack of Chatel in order to apply mounting forces which are tightly controlled and visibly inspectable without disturbing the other circuit board being held.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chatel in view of Sittig and further in view of Wetzel et al. (submitted by applicant).

As to claim 23, Chatel and Sittig disclose all of the limitations of the claimed invention, except for a vibration table having a plurality of openings.

Wetzel shows a vibration table (10-figure 1) having a plurality of openings (49-figure 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a vibration table structure as taught by Wetzel to employ the support rack of Chatel and Sittig in order to provide a simultaneous vibration, thermal stress, and flexible to resist cracking.

Allowable Subject Matter

6. Claims 1-4, 13-16, 21-22, and 24-26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

7. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments with respect to claims 1-10, 13-16, and 21-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T Dinh whose telephone number is 703-306-5856. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on 703-308-3301. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

TD
May 02/2003

John B. Vigustin
John B. Vigustin
EXAMINER
GAU 2827